

Warwick School Committee Minutes  
Meeting of January 29, 2013  
Open Session

The Warwick School Committee met in Open Session at the Administration Building on Tuesday, January 29, 2013. Ms. Furtado called the meeting to order at 5:30 p.m. with the following in attendance:

COMMITTEE

Bethany A. Furtado, Chair  
M. Terri Medeiros, Vice Chair  
Jennifer Ahearn, Clerk  
Eugene A. Nadeau  
Karen Bachus

ADMINISTRATION

Richard D'Agostino, Acting Superintendent  
Dennis Mullen, Director of Secondary Education  
Rosemary Healey, Esq., Director of Compliance & Human Resources  
Anthony Ferrucci, Chief Budget Officer  
David LaPlante, Director of Buildings & Grounds

MOTION 2013-19: Moved by Mr. Nadeau, seconded by Ms. Medeiros, to go into closed session for discussion and/or action regarding those items of business exempt from open meetings under General Laws of Rhode Island 42-46-5(a)(1) and (a)(2).

MOTION PASSES (5-0)

Bethany A. Furtado – Aye    M. Terri Medeiros – Aye  
Eugene A. Nadeau – Aye    Karen Bachus – Aye  
Jennifer Ahearn – Aye

Open Meeting reconvened at 6:10 p.m.

**Approval of Fire Code Resolution**

Ms. Healey said there is a Resolution before the Committee this evening for fire code upgrades, and we ask that you approve it so that the School Department can complete its work and hire contractors. The following resolution was proposed:

**Resolution Relative to Fire Code Compliance Bond Request**

Resolved that

Whereas, the Warwick Public Schools and the Warwick School Committee are under an administrative order by the RI State Fire Marshal's office to make certain fire code improvements to its facilities to meet current fire safety laws and regulations; and

Whereas, the fire code improvements are planned to occur in three phases and the Warwick School Committee has already completed the phase 1 improvements; and

Whereas, phase 2 (so called) of the fire code work is required to take place in the Summer of 2013 and phase 3 (so called) of the fire code work is required to take place in the Summer of 2014; and

Whereas, in order to complete phase 2 of the fire code work on a timely basis, it is necessary to incur certain start up costs for that phase 2 work as soon as possible; and

Whereas, the total estimated costs for the phase 2 fire code work is estimated at \$4,300,000 and the total estimated costs for the phase 3 fire code work is not available at this time since some of the school facilities in phase 3 may be closed and/or consolidated as a part of the School Department's reorganization planning; and

Whereas, the Warwick School Committee is desirous to obtain the funds necessary to undertake all the fire code work and has met with and discussed the various funding options with the Mayor; and

Whereas, that as a result the discussions with the Mayor, the Warwick School Committee requests the Mayor and City Council to authorize the issuance of bonds to provide the revenue source for the required fire code improvements for phase 2 work only at this time; and

Whereas, to reduce the negative financial impacts on the municipal budget due to the cost of the fire code improvements, the Warwick School Committee agrees to and consents to include every and all costs to issue and repay the required bonds necessary to finance the fire code improvements within its budget without any adverse impact on its statutory maintenance of effort allocation. Further, any school housing aid which is received as a result of the work performed with the bond funds will be reallocated to the School Committee to alleviate the impact that paying the debt service will have on its budget.

Now, therefore, be it resolved, that Warwick School Committee hereby respectfully requests the Mayor and City Council take all actions necessary to issue bonds to fund the fire code work as set forth herein.

The Superintendent is hereby directed to forward a copy of this Resolution to the Mayor and to members of the city Council.

This resolution shall take effect upon passage.

Signed: Bethany A Furtado, Chair, M. Terri Medeiros, Eugene Nadeau, Jennifer Ahearn and Karen Bachus

MOTION 2013-20: Moved by Ms. Bachus, seconded by Ms. Medeiros, to approve the Resolution relative to the fire code compliance bond.

**MOTION PASSES (5-0)**

Bethany A. Furtado – Aye	M. Terri Medeiros – Aye
Eugene A. Nadeau - Aye	Karen Bachus - Aye
Jennifer Ahearn - Aye	

**Ratification of WISE Contract:** Ms. Healey proposed a two-year extension to the contract with no changes to the contract other than affording the same pay increase the teacher union was afforded in its recent extension (1.0% in the 2012-2013 school year and 1.5% raise in the 2013-2014 school year). We have had economic impact statement prepared and it is available for the public. Ms. Healey said the contract expires in August of 2013. For a number of years there were no pay increases at all, and departments have been eliminated, including 64 positions. The current bargaining union has 380 people. The entire district pulled together working to get the fire codes done over a 10-week period. Everyone said the schools wouldn't be opened on time, but for the cooperation of the leadership and members of WISE we were able to do it. She said that Ms. Townsend said the members have ratified unanimously the extension. Dr. D'Agostino said he recommended the ratification of this contract, based on the work they have done and they are a valued part of the school personnel. He said without hesitation, "I support it, and without their help we would not have made it through the fire code improvements."

The Chair called for a vote of approval and discussion

MOTION 2013-21: Moved by Ms. Bachus, seconded by Ms. Medeiros, to approve the two-year extension to the WISE contract.

Discussion: Mr. Nadeau said he had a series of changes to make and was moving to amend. Ms. Healey said you can move to amend, the amendment will need a second, and then the committee will vote on the amendment. Mr. Nadeau continued saying this is the first time I have seen a contract like this and the way it's been done. I had no prior knowledge that the WISE was being negotiated; it was not made known to us. This is an unprecedented rush for a contract that ends August 31<sup>st</sup>. He said he didn't mind negotiating with the union, but he had no individual input. He commented on the health care contributions and said the average contribution in Rhode Island is 37%. He said there are changes that ought to be made in this 73-page contract and asked how can we renew with no changes.

Mr. Nadeau's first proposed change was changing the word "seniority" wherever it appears in the 73-page document to "most qualified".

MOTION 2013-22: Moved by Mr. Nadeau, seconded by Ms. Ahearn, to change the word “seniority” wherever it appears and replace with “most qualified”.

MOTION FAILS (2 ayes 3 nays)

Bethany A. Furtado -Nay	M. Terri Medeiros – Nay
Eugene A. Nadeau - Aye	Karen Bachus - Nay
Jennifer Ahearn - Aye	

Mr. Nadeau’s second proposed amendment was that bumping must be stricken from contract. How can a person you have hired and doing their job be bumped by someone whose job is being eliminated? That employee who has been bumped can then do the same to another person; this is not right.

MOTION 2013-23: Moved by Mr. Nadeau, seconded by Ms. Ahearn, that bumping be stricken from the contract.

MOTION FAILS (2 ayes 2 nays and 1 abstain)

Bethany A. Furtado -Nay	M. Terri Medeiros – abstain
Eugene A. Nadeau - Aye	Karen Bachus - Nay
Jennifer Ahearn - Aye	

Mr. Nadeau’s third proposed amendment was to eliminate “longevity” -

MOTION 2013-24: Moved by Mr. Nadeau, seconded by Ms. Ahearn, to eliminate longevity from the contract.

MOTION FAILS (2 ayes 3 nays)

Bethany A. Furtado -Nay	M. Terri Medeiros – Nay
Eugene A. Nadeau - Aye	Karen Bachus - Nay
Jennifer Ahearn - Aye	

There was a 10 minute break in the meeting at this time [6:45 to 6:55 p.m.]

Mr. Nadeau wanted to clarify that if an employee works less than 25 hours they would not get health benefits. Ms. Healey said there are no benefits for someone who works 17 ½ hours or less; and at this time there are no part-time employees as they have all been eliminated.

Mr. Nadeau asked if Union dues could be increased without a majority vote. Ms. Healey commented that it is none of our business; and we do not even have the right to ask. State law mandates us to withhold dues and transfer over.

Mr. Nadeau then asked about employee vacations. Ms. Healey responded 19 days earned over time. Mr. Nadeau then read the following saying it was from page 31, article 6, of the contract: 3 weeks after 8 years; 4 weeks after 13 years; 5 weeks after 18 years; etc. Ms. Healey responded those are days not weeks. No one has ever had eight weeks.

MOTION 2013-25: Moved by Ms. Ahearn, seconded by Mr. Nadeau, to table this until further information provided.

MOTION FAILS (2 ayes 3 nays)

Bethany A. Furtado -Nay	M. Terri Medeiros – Nay
Eugene A. Nadeau - Aye	Karen Bachus - Nay
Jennifer Ahearn - Aye	

Mr. Nadeau proposed the following amendment: that sick leave not exceed 15 days per year and accumulated sick leave of 115 days be changed to accumulated 40 days.

MOTION 2013-26: Moved by Mr. Nadeau, seconded by Ms. Ahearn, to amend sick leave language to cap accumulated at 40 days rather than 115.

MOTION FAILS (2 ayes 3 nays)

Bethany A. Furtado -Nay	M. Terri Medeiros – Nay
Eugene A. Nadeau - Aye	Karen Bachus - Nay
Jennifer Ahearn - Aye	

Mr. Nadeau commented on strikes and work stoppage saying we should not tolerate and those that participate should be immediately dismissed. Ms. Healey responded that striking is already illegal – it is state law.

Mr. Nadeau said there should be no death benefit for retirees. Ms. Healey said the pension plan is a voluntary plan, death benefit is part of the pension plan, can't take that away from those vested.

Mr. Nadeau said he appreciated being heard and the amendments being vote on. He said I don't feel we are doing our job by not making any changes in a 73-page document except for an increase in salary. Ms. Healey explained we had a meeting with Ms. Townsend and Ms. Rowan asking for negotiations as we have done literally hundreds of times before. We came to recognize that we had a recommendation to bring back. We spoke to the Chair to put the matter on the agenda. We had a meeting. We reviewed the outline and offer and wanted to proceed with this agreement. That is part of what we are supposed to do. It was discussed with administration, and you had every opportunity to weigh in. Ms. Ahearn said she did not have an opportunity and Ms. Healey commented you were not on the committee at the time. Ms. Ahearn commented that we need more technology, books need to be purchased for math, and we have so many other expenditures, this \$437,000 could be used to maintain the STAR program. Do they deserve it? What do the kids need over the course of two years? Ms. Healey stated: "You can't balance a budget on the backs of employees and expect them to be dedicated and faithful."

Ms. Ahearn asked about a joint bid with the City on health care. Ms. Healey explained that we have cooperated with joint bids with the City before but we usually end up getting a higher bid, never came to any savings.

Ms. Bachus responded: "I call the question."

Chair Furtado called the Motion (2013-21) prior to discussion, with all amendments failing, to approve the ratification of the 2013-2015 WISE contract.

MOTION 2013-21: Moved by Ms. Bachus, seconded by Ms. Medeiros, to approve the two-year extension to the WISE contract.

**MOTION PASSES (3 aye 2 nay)**

Bethany A. Furtado – Aye	M. Terri Medeiros – Aye
Eugene A. Nadeau – Nay	Karen Bachus – Aye
Jennifer Ahearn – Nay	

MOTION 2013-27: Moved by Ms. Furtado, seconded by Ms. Medeiros, to adjourn the meeting.

**MOTION PASSES (5-0)**

Bethany A. Furtado – Aye	M. Terri Medeiros – Aye
Eugene A. Nadeau – Aye	Karen Bachus – Aye
Jennifer Ahearn – Aye	

Meeting adjourned: 7:50 p.m.